

MARCH 23, 2004

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MINUTES**

7:00 P.M.

Following a Work Session, the Regular Session was called to order at 7:17 P.M., by Mayor Ferguson with Councilmembers Simillion, Stone, Smits and Duba present along with City Manager Collins, City Clerk Davidson, Community Development Director Hannon, Finance Director Hanson, Parks & Recreation Director Ampietro, Public Works Director Coleman, City Engineer Zerger, Municipal Court Judge Furey, Court Clerk Seidel, Building Official Root, several members of the City's Historic Preservation Committee, several interested citizens and the press. The City Attorney was out of town.

Consideration of Minutes:

Regular Session Minutes of March 9, 2004.

Councilmember Simillion moved and Councilmember Duba seconded the motion to approve the Regular Session Minutes of March 9, 2004, as submitted.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: Municipal Court Judge Margaret Furey – Annual Court Report.

Judge Furey informed Council that in 2003, court cases and revenues from fines and fees were down slightly. She stated she felt the Gunnison Municipal Court was the most reasonable as far as the three municipal courts in the valley. She said the Court is very user friendly and conducts proceedings by telephone, as needed, to assist the defendants. She feels the Municipal Court should be a learning experience for a person who has made a mistake. It is a matter of changing behavior. Judge Furey commended the Court Staff, Clerks Beverly Seidel and Tracy Meehan, and Court Administrator Davidson. Judge Furey described the underage drinking deferred sentence program that was instituted last year. She feels it is working.

Councilmember Stone stated he has sat in on Court and feels the Judge is masterful in how she handles juvenile cases. Judge Furey stated the Police Officers truly care about the kids in the community and want to see them grow up into responsible adults.

Councilmember Smits stated he also has heard in the community what a good job the Court and the Police Department are doing. Councilmember Smits then asked about the noise ordinance. Judge Furey stated she is working with Police Chief Keehne on revising the ordinance to be more clear and enforceable. She stated the noise control problem needs to be a cooperative effort of the young people in the community and the Police Officers.

Mayor Ferguson and Council thanked Judge Furey for the report.

Unfinished Business: None.

New Business:

Letter of Support for State Historic Society Grant Application for Downtown Historic Interpretive Signs. This item was discussed in the Work Session prior to the Regular Session meeting.

Councilmember Stone moved and Councilmember Simillion seconded the motion to approve the Letter of Support for the State Historic Society Grant Application for Downtown Historic Interpretive Signs and to authorize the Mayor to sign said letter and associated documents.

Roll call vote, yes: Stone, Ferguson, Smits, Duba, Simillion. So carried.

Roll call vote, no: None.

Challenge Grant Application for "Poetry on a Platter" in the Amount of \$800.00 by WSC Savage Library/WordHorde. This item was discussed in the Work Session prior to the Regular Session meeting.

Councilmember Smits commended the Challenge Grant Committee for sticking by the guidelines and criteria of the grants. The intent is to use the money to generate sales tax from events from out-of-town visitors. Councilmembers Duba, Stone and Simillion concurred with Councilmember Smits.

Councilmember Smits moved and Councilmember Simillion seconded the motion to accept the Challenge Grant Committee's recommendation and deny the application for an \$800 Challenge Grant for "Poetry on a Platter".

Roll call vote, yes: Ferguson, Smits, Duba, Simillion, Stone. So carried.
Roll call vote, no: None.

Councilmember Smits moved to fund the "Poetry on a Platter" program in the amount of \$500.00 with the funds to be expended out of the General Fund's Grants and Contributions Additional Contracts for Service line item. The motion died for lack of a second.

Councilmember Duba would like discussion on this topic at a future Work Session. City Clerk Davidson stated she would schedule this on a future agenda. Councilmember Stone suggested, that since the City contributes dollars for arts programs with the Gunnison Arts Center, that Ms. Winslow approach the Arts Center for possible inclusion of this program into their 2005 Contracts for Service request.

Rainbow Meadows Filing II Final Subdivision Plat. This item was discussed at the Work Session prior to the Regular Session meeting.

Councilmember Duba moved and Councilmember Smits seconded the motion to accept the Planning Commissions recommendation for SB-98-3, approve the Rainbow Meadows Estates Filing II Final Subdivision Plat with the condition that a subdivision improvement agreement with appropriate bonding be executed concurrent with the filing of the final plat.

Roll call vote, yes: Smits, Duba, Simillion, Stone, Ferguson. So carried.
Roll call vote, no: None.

Appointment of City Council/WSC Intern. City Clerk Davidson informed Council she had received several inquiries about the City Council/WSC Intern vacancy and had interviewed three candidates the week before spring break. They were all outstanding candidates for the position. She is recommending Matthew Johnston to serve as the City Council/WSC intern.

Councilmember Smits asked Mr. Johnston to tell them a little about himself. Mr. Johnston stated he is very interested in local government, is an SGA senator at WSC and will be running for SGA president next year. He is able to serve this summer.

Councilmember Stone moved and Councilmember Duba seconded the motion to appoint Matthew Johnston as the City Council/WSC intern.

Roll call vote, yes: Duba, Simillion, Stone, Ferguson, Smits. So carried.
Roll call vote, no: None.

Council thanked Mr. Johnston for his willingness to serve. Councilmember Duba stated this is a great opportunity for Matt.

Ordinance and Resolutions:

Ordinance No. 3, Series 2004, Re: Amending Certain Fees Associated with the Uniform Building Code as Adopted, 1st Reading.

Councilmember Duba introduced Ordinance No. 3, Series 2004, and it was read by title only by the Mayor.

Councilmember Stone moved and Councilmember Duba seconded the motion that **ORDINANCE NO. 3, SERIES 2004, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING CERTAIN FEES ASSOCIATED WITH THE UNIFORM BUILDING CODE AS ADOPTED BY THE CITY OF GUNNISON, COLORADO**, be introduced, read, passed and ordered published on first reading this 23rd day of March, 2004.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.

Roll call vote, no: None.

Councilmember Duba asked Building Official Root to describe what the Ordinance is about in layman's terms. Building Official Root explained that, if a developer or home owner comes in and has building plans that are duplicates, that is, are the same floor plan as one of the other units to be built, or was built within the past year, then a full plan check fee is only charged on the first unit and any subsequent duplicate units are charged \$100 per unit.

Council thanked Building Official Root for his work on this issue.

City Attorney: Was out of town.

City Manager: Mark Collins: 1. Informed Council that he is pleased to announce that the Department of Local Affairs Energy Impact Grant Committee has notified the City in writing that they have awarded a full \$500,000 to the City's Community Center project. The City Manager publicly thanked Tim Sarmo of DOLA for his assistance, and Mayor Ferguson, Commissioner Jim Starr and Parks & Recreation Director Ampietro for their participation in the grant presentation. Thirteen million dollars was awarded in this grant cycle, out of seventeen million dollars in grant requests for 65 different projects. DOLA will be sending a standard contract, which the City Attorney and Staff will review prior to bringing it forth to Council. The City Manager stated the good relationship the City has with DOLA contributed to the success of the grant request. Councilmember Simillion stated it is great news. 2. City Staff will be meeting with the Gunnison Area Foundation Board about the possibility of the Foundation acting as the donation mechanism for the Community Center. They are a non-profit 501C3 organization. This will allow for tax deductible donations to the center. Councilmember Smits asked for a financial breakdown on how revenues and expenses are projected for the project. Councilmember Stone asked for the City and the recreation program users groups to write letters of thanks to the Energy Impact Fund Committee. We need to make a big deal about receiving the grant. 3. City Manager Collins stated Staff is in the preparation phase of the sale of the Parks & Recreation building. The advertisement and bid information will be reviewed by City Attorney Landwehr the beginning of next week. 3. The Mayors/Managers April meeting will be hosted by the City of Gunnison and will be held next Thursday, April 1, at the Comfort Inn conference room. The new owners of CBMR, Tim and Diane Mueller, will be in attendance. If any of Council would like to attend, get with the City Clerk so that the meeting can be posted.

Acting City Manager: Parks & Recreation Director Dan Ampietro. Informed Council the Community Center building plans will be finalized and submitted to the building department on March 30th. Bids for site work on the Community Center were opened last week and will come before Council next week. The Community Center core committee will be meeting with FCI tomorrow. His departmental report is in their packets and he would be happy to answer any questions they might have. Councilmember Stone thanked Director Ampietro for the good report.

City Clerk: Gail Davidson. City Clerk Davidson informed Council that Staff is asking, since the next Regular Session is not until April 13, that a Special Session to be set for next Tuesday. There are several work session items to be discussed and then three time-sensitive items to be placed on a Special Session agenda.

Councilmember Stone moved and Councilmember Simillion seconded the motion to set a Special Session meeting of City Council for 7:30 P.M., March 30, 2004, to discuss and take possible action on the following items: Quarterly City Financial Report, Award Community Center Site Work Bid, and Award 2004 Street Improvement Bid Contract.

Roll call vote, yes: Simillion, Stone, Ferguson, Smits, Duba. So carried.
Roll call vote, no: None.

Non-Scheduled Citizens: None.

General Discussion/Items for Work Session:

Councilmember Simillion: Stated he had been approached by several citizens about moving the annual Christmas Tree from South Main to another location. He would like to discuss this issue at a future work session. City Manager Collins stated the downtown merchants are being polled about this issue in the parking survey that has been distributed. In addition, Public Works Director Coleman will be meeting with the downtown business owners about the issue of moving the tree to another location.

Councilmember Duba: Asked the City Manager about the shooting that took place last week. Discussion ensued and Councilmember Duba wanted to convey a great show of thanks to our Police Officers and the entire department on how the situation was handled.

Councilmember Smits: Expressed his condolences to Electric Supervisor Ken Bradford, the Electric crew and to Travis Schulte's family.

Councilmember Stone: Nothing to report.

Adjournment: The meeting adjourned at 8:25 P.M.

Mayor

City Clerk